

REMARKS

The Examiner has rejected the disclosure under 35 CFR 1.163(a) and under 35 U.S.C. §112, first and second paragraphs, for failing to provide a clearer and more complete botanical description of the plant.

The Examiner has requested clarification in paragraph [0004] with regard to the origin of the instant plant being found amongst the seedlings of the parental tree at North Dakota State University. Applicant has amended paragraph [0004] to include this information.

The Examiner has requested clarification in paragraph [0009] with regard to the origin of the instant plant from seed collected from trees growing at the NDSU campus. Applicant has amended paragraph [0009] to include this information.

In paragraph "A", the Examiner has stated that the specification does not set forth a botanical description of the floret's size (length and diameter), flower type, petal number, and petal size. Applicant has amended paragraph [0015] of the specification to include this information. Withdrawal of this rejection is respectfully requested.

In paragraph "B", the Examiner has stated that the specification does not set forth the calyx's shape, average size, and color designation with reference to the employed color chart. Applicant has amended paragraph [0015] of the specification to include this information. Withdrawal of this rejection is respectfully requested.

In paragraph "C", the Examiner has stated that the specification does not set forth the lastingness, blooming period, and fragrance of the bloom. Applicant has amended paragraph [0015] of the specification to include this information. Withdrawal of this rejection is respectfully requested.

In paragraph "D", the Examiner has stated that the specification does not set forth the reproductive organs such as the number of stamens and pistils, lengths of the filaments and pistil, pollen color, and color designation with reference to the employed color chart of the filaments, anthers, style, and stigma in the interest of providing as complete a botanical description of the plant as is reasonably possible. Applicant has


included this information in new paragraph [0016] of the specification. Withdrawal of this rejection is respectfully requested.

In view of the amendments to the specification, withdrawal of the objections to the disclosure under 37 C.F.R. §1.163(a) is respectfully requested.

Attached are a marked-up version and clean version of the changes made to the specification by the current amendment. The attached pages are captioned "**Version with markings**" and "**Clean version of substitute specification**".

The Examiner has rejected claim 1 under 35 U.S.C. §112, first and second paragraphs, as not being supported by a clear and complete botanical description of the plant for the reasons set forth in the Objection to the Disclosure Section. Applicant has amended the specification to provide a clearer and more complete botanical description of the plant. Withdrawal of this rejection is requested.

In view of the above amendments and remarks, it is submitted that the claim satisfied the provisions of 35 U.S.C. §112 and 37 C.F.R. §1.163(a). Reconsideration of this application and early notice of allowance are requested.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED					
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